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REMARKS

Reconsideration of the application and entry of the amendment are respectfully requested. Claims 1 to 8 are currently pending, and no claims have been amended.

The Final Office Action mailed November 25, 2002 addressed claims 1 to 8. Claims 1 to 8 were rejected. The Advisory Action mailed January 31, 2003 stated that the 112 rejections would be overcome by the amendment to the specification in the Response filed on January 21, 2003. The Advisory Action also stated that claims 1 and 3 were rejected, claim 2 was objected to, and claims 4 to 8 were allowed.

Claims 2 and 4 to 8 were rejected under 35 U.S.C. § 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The Examiner stated that the Shore D hardness less than 64 for the outer cover has not been disclosed.

Applicant respectfully submits that the Shore D hardness of less than 64 for the outer cover layer has been disclosed. Applicant respectfully submits that original claims 1 and 5 of a parent application, U.S. Patent Application Serial No. 08/556,237, filed on November 9, 1995, disclose "an outer cover layer having a Shore D hardness of 64 or less" and "an outer cover layer having a Shore D hardness of about 64 or less" respectively. Since the original claims are considered part of the specification, Applicant respectfully submits that the Shore D hardness of 64 or less has been disclosed. As required by the Examiner in the Final Office Action, the specification has been amended to include the hardness for the outer cover layer, and a copy of the originally filed claims is attached to this response. Applicant respectfully submits that this overcomes the rejection of claims 2 and 4 to 8 under 35 U.S.C. § 112, first paragraph. Applicant therefore respectfully requests that the rejection of claims 2 and 4 to 8 be reconsidered and withdrawn.

Claims 1 and 3 were rejected under 35 U.S.C. 103(a) as being unpatentable over Nesbitt in view of Sullivan '814 and Wu.

Although Applicant continues to respectfully disagree, in an effort to hasten prosecution, claim 1 has been amended to incorporate the limitation of claim 2, which

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was objected to by the Examiner, but would be allowable. Claim 3 depends from amended claim 1, therefore claim 3 should also be allowable. Claim 3 has been amended to delete the overall diameter of the golf ball, which is already stated in amended claim 1.

For at least these reasons, Applicant respectfully submits that claims 1 and 3 are not obvious under 35 U.S.C. § 103(a) over Nesbitt in view of Sullivan and Wu. Applicant therefore respectfully requests that the rejection of claims 1 and 3 under 35 U.S.C. § 103(a) as obvious over Nesbitt in view of Sullivan and Wu be reconsidered and withdrawn.

Claim 5 has been canceled by this Amendment.

Attached hereto is a marked-up version of the changes made to the application by this Amendment. The Examiner is invited to telephone Applicant's attorney if it is deemed that a telephone conversation will hasten prosecution of the application.

CONCLUSION

Applicant respectfully requests reconsideration and allowance of each of the presently objected or rejected claims, claims 1 to 3. Applicant respectfully requests allowance of claims 1, 3, 4 and 6 to 8, the claims currently pending.

If any fees are due, Applicant requests that the fees be charged to Deposit Account No. 17-0150.

Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES
IN THE SPECIFICATION

The paragraph beginning at page 24, line 23 has been replaced with the following rewritten paragraph:

Other soft, relatively low modulus non-ionomeric thermoplastic elastomers may also be utilized to produce the outer cover layer as long as the non-ionomeric thermoplastic elastomers produce the playability and durability characteristics desired without adversely effecting the enhanced spin characteristics produced by the low acid ionomer resin compositions. Preferably, the non-ionomeric thermoplastic elastomers have a Shore D hardness of 64 or less. These include, but are not limited to thermoplastic polyurethanes such as: Texin[®]-thermoplastic polyurethanes from Mobay Chemical Co. and the Pellethane[®]-thermoplastic polyurethanes from Dow Chemical Co.; Ionomer/rubber blends such as those in Spalding U.S. Patents 4,986,545; 5,098,105 and 5,187,013; and, Hytrel[®]-polyester elastomers from DuPont and [pebax] Pebax[®] polyetheramides from Elf Atochem S.A.

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IN THE CLAIMS

Claims 2 and 5 have been canceled without prejudice or disclaimer.

Claims 1 and 3 have been amended as follows:

1.(AMENDED) A golf ball comprising:

a core;

an inner cover layer disposed on said core, said inner cover layer having a thickness of from about 0.100 to about 0.010 inches, said inner cover layer comprising a blend of two or more ionomer resins, at least one of which contains no more than 16% by weight of an alpha, beta-unsaturated carboxylic acid; and

an outer cover layer disposed on said inner cover layer, said outer cover layer having a thickness of 0.010 to 0.070 inches, and said outer cover layer comprising a polyurethane material,

wherein said golf ball has an overall diameter of 1.680 inches or more, said inner cover layer having a Shore D hardness of at least 60, and said outer cover layer having a Shore D hardness of less than 64.

3. (AMENDED) The golf ball according to claim 1, wherein said inner cover layer has a thickness of about 0.050 inches, and said outer cover layer has a thickness of about 0.055 inches[, and said golf ball has an overall diameter of 1.680 inches or more].